

**Before the State of South Carolina
Department of Insurance**

In the matter of:

Thomas Miller
Post Office Box 5272
Hilton Head, South Carolina 29938

File Number 124399

**Order Vacating Revocation of
Bail Bondsman, Producer, and
Agency Licenses**

This matter comes before me pursuant to a recent default order signed by me revoking all licenses issued to Thomas Miller by the South Carolina Department of Insurance.

On March 7, 2005, the South Carolina Department of Insurance (the Department) served a Letter of Allegation and Notice of Opportunity for Public Hearing on Thomas . Miller as required by S.C. Code Ann. § 38-3-170 (2002), by both certified mail, return receipt requested, and by regular mail. That letter informed Mr. Miller of his right to request a public hearing at the ALC upon the allegations of impropriety contained within the letter against him. The certified letter was returned not deliverable.

Mr. Miller failed to request a hearing within 30 days of receipt of the allegation letter. As a result of his failure to request a hearing, an Order of Default revoking all of Mr. Ballard's licenses was signed by me on May 16, 2005. However it has since come to my attention that on May 3, 2005, prior to my signing the default order, another allegation letter was sent to Mr. Miller which he received on May 14, 2005. This letter provided Mr. Miller an additional 30 days from its receipt to request a hearing in this matter. Mr. Miller has provided the Department with evidence that the bond estreatment which he had failed to pay was paid on March 23, 2005.

Despite Mr. Miller's failure to respond to the initial allegation letter within 30 days of its receipt, which time period ended prior to the second letter being sent, since the Default Order was not signed by me until after the second letter was sent and he has provided evidence that the bond estreatment has been paid, I have determined that the proper action is to vacate the revocation of Mr. Miller's licenses.

It is further ordered that a copy of this order shall be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which Mr. Ballard was appointed in South Carolina as of the date of my revocation order.

This order becomes effective as of the date of my signature below.


Eleanor Kitzman
Director

May 27, 2005
Columbia, South Carolina